

1987 No. 880 (S. 72)

PLANT HEALTH

The Import and Export (Plant Health Fees) (Scotland)
Order 1987

<i>Made</i>	<i>12th May 1987</i>
<i>Laid before Parliament</i>	<i>15th May 1987</i>
<i>Coming into force</i>	<i>1st July 1987</i>

The Secretary of State, in exercise of the powers conferred on him by sections 1(2)(b), 2, 3(1) and 4A of the Plant Health Act 1967(a), and of all other powers enabling him in that behalf, and with the consent of the Treasury, hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Import and Export (Plant Health Fees) (Scotland) Order 1987 and shall come into force on 1st July 1987.

(2) This Order extends to Scotland only.

Interpretation

2.—(1) In this Order—

“certificate” means a phytosanitary certificate;

“import licence” means a licence issued by the Secretary of State under article 17 of the Import and Export (Plant Health) (Great Britain) Order 1980(b);

“official label” has the same meaning as in regulation 2(1) of the Seed Potatoes Regulations 1984(c);

“phytosanitary certificate” means a phytosanitary certificate issued by an inspector or other officer of the Secretary of State under article 9 of the Import and Export (Plant Health) (Great Britain) Order 1980;

“premises” includes any land, building, vessel, vehicle, aircraft, hovercraft or freight container;

“small consignment” means one package of a size and weight such that it is capable of being sent by post;

“soil” includes any medium used for the growing of plant material and “soil sample” shall be construed accordingly.

(2) Where a fee prescribed in this Order is prescribed in relation to an inspection, examination or test as well as the issue of a certificate, the refusal to issue a certificate by reason of the results of the inspection, examination or test being unsatisfactory, shall not affect the amount of the fee otherwise payable.

(3) Any reference in this Order to a numbered article or Schedule shall be construed as a reference to the article or Schedule bearing that number in this Order.

(a) 1967 c.8; sections 2(1) and 3(1) were amended by the European Communities Act 1972 (c.68), section 4(1) and Schedule 4, paragraph 8, and section 4A was inserted by the Agriculture Act 1986 (c.49), section 3.

(b) 1980/420; article 17 was amended by S.I. 1985/873, 1986/1135.

(c) S.I. 1984/412, to which there are amendments not relevant to this Order.

Fees for export certification services

3. Subject to the following provisions of this Order, there shall be paid to the Secretary of State in respect of any service described in column 1 of Schedule 1 the fee specified in column 2 of that Schedule opposite the reference to that service.

Fees for import licensing services

4. Subject to the following provisions of this Order, there shall be paid to the Secretary of State in respect of any service described in column 1 of Schedule 2 the fee specified in column 2 of that Schedule opposite the reference to that service.

Time for payment of fees

5. The fees prescribed in Schedules 1 and 2 shall be paid on demand made by the Secretary of State.

Refund of fees

6.—(1) If an application for a service described in column 1 of Schedule 2 is withdrawn by a written request made by the applicant and received by the Secretary of State within 7 days of the date of the application, the fee paid under article 4 less an amount of £5.00 shall be refunded to the applicant.

(2) If in respect of an application for official labels in connection with the issue of a certificate for the export of seed potatoes, labels are returned unused the fee paid under article 3 less an amount of 40p per tonne may be refunded to the applicant.

New St. Andrew's House, Edinburgh
11th May 1987

John J. MacKay
Parliamentary Under Secretary of State,
Scottish Office

We consent,

12th May 1987

Peter Lloyd
Tony Durant
Two of the Lords Commissioners of Her Majesty's Treasury

SCHEDULE 1

Article 3

FEES IN RESPECT OF EXPORT CERTIFICATION SERVICES

Column 1 <i>Service</i>	Column 2 <i>Fee £</i>
1. The taking of one soil sample from a field or part of a field comprising not more than 4 hectares, or from a glass-house or container-	
(a) for the first sample taken on any day, where no other chargeable visit is being made	50.00
(b) for the first sample taken on any day, where another chargeable visit is being made	25.00
(c) for the second and each subsequent sample taken on the same day as the first sample	25.00
2. Growing season inspection of-	
(a) up to 0.5 hectares of bulbs, per day	25.00
each additional 0.5 hectares of bulbs up to 14 hectares, per day	5.00
(b) up to 0.4 hectares of outdoor plants other than bulbs, per day	25.00
each additional 0.4 hectares of outdoor plants other than bulbs up to 11 hectares, per day	5.00
(c) up to 5,000 indoor plants, per day	25.00
each additional 5,000 indoor plants up to 70,000, per day	5.00
3. Consideration of an application for official labels in connection with the issue of one certificate for the export of seed potatoes, per tonne or part thereof	1.20
4. Consideration of an application for the issue of one certificate for the export of-	
(a) grain, per 100 tonnes or part thereof	10.00
(b) frozen vegetables, frozen fruit, tea and seed samples, per consignment	10.00
(c) plants or plant products, where no inspection is required	5.00
5. Pre-export inspection of and the issue of one certificate for the export of a consignment of bulbs and other plants and plant products, including seed potatoes where an official label is not required, where an inspection at the premises of the grower is necessary and where-	
(a) the value of the consignment is up to and including £50.00 whether or not the consignment comprises items for botanical research	3.00
(b) the value of the consignment is more than £50.00 but not more than £150.00 whether or not the consignment comprises items for botanical research	10.00
(c) the value of the consignment is more than £150.00 and the consignment comprises items for botanical research	15.00
(d) the value of the consignment is more than £150.00 but not more than £300.00 and the consignment does not comprise items for botanical research	20.00
(e) the value of the consignment is more than £300.00 and the consignment does not comprise items for botanical research	30.00
6. Pre-export inspection of and the issue of one certificate for the export of a small consignment of plants and plant products where no inspection at the premises of the grower is necessary and where-	
(a) the value of the consignment is up to and including £50.00 whether or not the consignment comprises items for botanical research	3.00
(b) the value of the consignment is more than £50.00 but not more than £150.00 whether or not the consignment comprises items for botanical research	10.00
(c) the value of the consignment is more than £150.00 whether or not the consignment comprises items for botanical research	15.00
7. Pre-export inspection of and the issue of one certificate for the export of used agricultural machinery (such inspection being for traces of soil or plant debris)	30.00

FEES IN RESPECT OF IMPORT LICENSING SERVICES

Column 1 <i>Service</i>	Column 2 <i>Fee £</i>
1. Consideration of an application for the issue of an import licence and the performance of any connected service, including the issue of a licence for articles imported for the following purposes, whether or not an inspection is required	
(a) scientific	40.00
(b) commercial—	
(i) potato breeders' and other quarantine material	40.00
(ii) other plant material	30.00
(c) private	20.00
2. The inspection of articles for import, per day	
(a) up to and including the first 30 minutes	30.00
(b) thereafter, for each additional 30 minutes or part thereof	15.00

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which applies to Scotland only, prescribes fees in respect of the services specified in Schedules 1 and 2 to the Order (articles 3 and 4). The services are performed in connection with applications received for the issue of phytosanitary certificates or licences in accordance with the provisions of the Import and Export (Plant Health) (Great Britain) Order 1980. Phytosanitary certificates are required to accompany exports of certain plants, plant products etc. and licences are issued to permit the importation of those articles, which would otherwise be prohibited.

The fees prescribed by the Order are payable on demand made by the Secretary of State (article 5).

The Order makes provision for a refund where an application for an import licensing service is withdrawn within a specified time (article 6(1)). A refund may also be made where in respect of an application for official labels in connection with the issue of a certificate for the export of seed potatoes, labels are returned unused (article 6(2)).

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